IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:06ev275

RICHARD WATSON; and NANCY)	
WATSON,)	
Plaintiffs,)	
Vs.)	ORDER
FLEETWOOD MOTOR HOMES OF INDIANA, INC.,)	
Defendant.)))	

THIS MATTER is before the court in accordance with the Order of May 22, 2007, in which this court denied defendant's Motion In Limine (#38) without prejudice "as to reasserting such motion at or around the time of the Final Pretrial Conference."

Id., at 2. While defendant has yet to reassert such motion, defendant is advised that if it does so, it will be necessary to file the complete transcript of the deposition of Gary Kilpatrick, P.E., his CV, and his written report. Inasmuch as witness lists are required to be exchanged prior to trial, plaintiffs are advised to immediately inform defendant whether they intend to call Mr. Kilpatrick as an expert and, in light of the concerns the court expressed in its Memorandum of Decision and Order, the areas of opinion testimony he intends to provide.

Finally, respective counsel are required to review the requirements of the Pretrial Order, specifically parts IV(B) & (C), which concern required exchanges and filings by the later of the date of the Pretrial Conference or one week before

trial, which is the same date in this case.

Signed: July 25, 2007

Dennis L. Howell

United States Magistrate Judge